

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

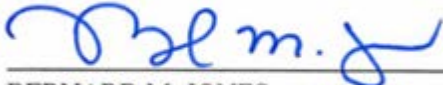
CASEY C. BURRIS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-268-J
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, filed this action against Defendants under 42 U.S.C. § 1983, alleging various constitutional violations. The matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings consistent with Title 28 U.S.C. § 636. [Doc. No. 3]. Judge Erwin ordered Plaintiff to either pay his filing fee or submit a motion for leave to proceed in forma pauperis. [Doc. No. 4]. Plaintiff failed to do either, and Judge Erwin submitted a report and recommendation recommending the action be dismissed without prejudice. [Doc. No. 5]. Plaintiff has not filed an objection and has therefore waived any right to appellate review of the factual and legal issues in the report and recommendation. *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).¹ Because Plaintiff has failed to comply with the Court's orders, the Court ADOPTS the Report and Recommendation [Doc. No. 5]. Plaintiff's claims are DISMISSED WITHOUT PREJUDICE.

¹ It appears that Plaintiff never received the report and recommendation because he failed to update his address for the Court's records. [Doc. No. 6]. However, Plaintiff bears the responsibility for updating his contact information, therefore his inability to receive filings does not alter the outcome in this case. *See Theede v. U.S. Dep't of Labor*, 172 F.3d 1262 (10th Cir. 1999). Further, Plaintiff did receive the Court's order to pay his filing fees or seek to proceed in forma pauperis, and he opted to ignore the Court's order.

IT IS SO ORDERED this 29th day of June, 2020.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE